



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

RODERICK, STEPHEN C.

Application No.: 09/228,259

Filed: January 11, 1999

For: METHOD, APPARATUS AND SYSTEM FOR
IMPROVED CONTENT MANAGEMENT AND
DELIVERY

Assistant Commissioner for Patents
Special Programs Examiner, Group 2771
Washington, D.C. 20231

)
) Group Art Unit: 2771
)
) *I hereby certify that this correspondence is being*
) *deposited with the United States Postal Service as first*
) *class mail with sufficient postage in an envelope*
) *addressed to the Assistant Commissioner for Patents,*
) *Washington, D.C. 20231 on:*
)
) April 16, 1999
) *Date of Deposit*
) Mary E. Wariner 4.16.99
) *Mary E. Wariner* Date

DECLARATION IN SUPPORT OF PETITION TO MAKE SPECIAL:**ACTUAL INFRINGEMENT**

(37 C.F.R. §1.102 AND MPEP ¶ 708.02(II))

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SEP 30 1999

Dear Sir/Madame:

Group 2771

I **Michael A. Proksch**, attorney for the Applicant, with an office at 5285 SW Meadows Road, Suite 101, Lake Oswego, Oregon 97035, hereby affirm and declare as follows:

1. On January 21, 1999, I was made aware of a web-site offered by the "John L. Scott®" real estate firm headquartered in Bellevue, WA.
2. That a January 21st, 1999, press release issued by "John L. Scott®" real estate announced a new feature offered on their publicly available web-site entitled "Internet Property Link^(sm)", which enables a user to access a real estate listing utilizing a unique real estate identifier in the Uniform Resource Locator (URL) (see attached Company Press Release).

3. I have made a rigid comparison of the "Internet Property Link^(sm)" feature of the "John L. Scott®" real estate web-site against the claims currently pending in the above captioned application.
4. In my opinion, at least claims 1, 12 and 21 of the above captioned application are unquestionably infringed by the "Internet Property Link^(sm)" feature of the "John L. Scott®" real estate web-site.
5. I have made, and have had made, a careful search of the prior art, the results of which are summarized in the accompanying Information Disclosure Statement PTO Form 1449 (along with copies of the cited references).
6. I believe that all claims currently pending in the above captioned application are allowable.
7. I believe that expedited examination of the above captioned application is necessary and proper to protect Applicant from the actual infringement of the currently pending, allowable claims of the above captioned application.

I hereby declare and affirm that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18 §1001 of the United States Code, and that such willful false statements may jeopardize the validity of the above captioned application or any patent issuing thereon.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

Date: April 16, 1999

by: Michael A. Proksch
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Reg. No.: 43,021

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